

103^D CONGRESS
2^D SESSION

H. R. 4887

To amend the Nuclear Waste Policy Act of 1982 to reaffirm the obligation of the Secretary of Energy to provide for the safe disposal of spent nuclear fuel beginning not later than January 31, 1998, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1994

Mr. GRAMS introduced the following bill; which was referred jointly to the
Committees on Energy and Commerce and Natural Resources

A BILL

To amend the Nuclear Waste Policy Act of 1982 to reaffirm the obligation of the Secretary of Energy to provide for the safe disposal of spent nuclear fuel beginning not later than January 31, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Spent Nuclear Fuel
5 Disposal Assurance Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) CONGRESSIONAL FINDINGS.—The Congress finds
8 that—

1 (1) the generation of electricity by nuclear pow-
2 ered reactors results in the production of spent nu-
3 clear fuel;

4 (2) about 24,000 metric tons of spent nuclear
5 fuel have been produced by the Nation's operating
6 nuclear power plants, and an additional 50,000 met-
7 ric tons of spent nuclear fuel is expected to be pro-
8 duced during the terms of their current licenses;

9 (3) the vast majority of commercial spent nu-
10 clear fuel is currently stored in individual water-
11 filled pools at reactor sites throughout the Nation;

12 (4) these storage pools for the temporary stor-
13 age of spent nuclear fuel are nearing capacity at
14 many of the reactor sites;

15 (5) since the beginning of the commercial nu-
16 clear power industry in the 1960's, the Federal Gov-
17 ernment has had the responsibility to provide for the
18 disposal of commercial spent nuclear fuel;

19 (6) the Congress enacted the Nuclear Waste
20 Policy Act of 1982 in order to codify the Federal re-
21 sponsibility and policy to provide for the safe and
22 timely disposal of spent nuclear fuel by establishing
23 a schedule for the siting, construction, and operation
24 of deep geologic repositories, assigning the respon-
25 sibility for implementation of the program to the De-

1 partment of Energy, and establishing the Nuclear
2 Waste Fund to cover the costs of the Federal dis-
3 posal program to be paid by utility ratepayers and
4 owners;

5 (7) since the enactment of the Nuclear Waste
6 Policy Act of 1982, utility ratepayers and owners
7 have paid more than \$9,700,000,000 into the Nu-
8 clear Waste Fund;

9 (8) under the schedule established in the Nu-
10 clear Waste Policy Act of 1982, the Department of
11 Energy, in return for the payment of the fees by
12 utility ratepayers and owners, is directed to dispose
13 of spent nuclear fuel beginning not later than Janu-
14 ary 31, 1998;

15 (9) despite the 12 years that have passed since
16 the enactment of the Nuclear Waste Policy Act of
17 1982 and the expenditure of \$3,800,000,000 to
18 date, the Department of Energy has fallen behind
19 schedule and the projected date for commencement
20 of operations of a repository, under optimistic as-
21 sumptions, is 2010;

22 (10) the Nuclear Waste Policy Act of 1982 cur-
23 rently prohibits the selection of a site for a mon-
24 itored retrievable storage facility until a site for a
25 permanent repository has been selected; and

1 (11) the Department of Energy, under the
2 terms of the Nuclear Waste Policy Act of 1982, has
3 an absolute obligation to accept spent nuclear fuel
4 beginning not later than January 31, 1998.

5 (b) STATEMENT OF PURPOSE.—The purpose of this
6 Act is—

7 (1) to ensure that the Department of Energy
8 fulfills its responsibility to site, construct, and oper-
9 ate temporary and permanent nuclear waste disposal
10 facilities in a safe and timely manner; and

11 (2) to reaffirm the obligation of the Secretary
12 of Energy under the Nuclear Waste Policy Act of
13 1982 to provide for the safe disposal of spent nu-
14 clear fuel beginning not later than January 31,
15 1998.

16 **SEC. 3. REAFFIRMATION OF OBLIGATION OF SECRETARY**
17 **OF ENERGY.**

18 Section 302(a) of the Nuclear Waste Policy Act of
19 1982 (42 U.S.C. 10222(a)) is amended by adding at the
20 end the following new paragraph:

21 “(7) The obligation of the Secretary under paragraph
22 (5) to accept high-level radioactive waste and spent nu-
23 clear fuel beginning not later than January 31, 1998, is
24 absolute and is not dependent on the commencement of
25 operations of a repository or a monitored retrievable stor-

1 age facility. Such obligation shall not be voided or delayed
2 for any reason.”.

3 **SEC. 4. SITING OF MONITORED RETRIEVABLE STORAGE FA-**
4 **CILITY.**

5 (a) REPEAL OF SITE SELECTION LIMITATION.—Sec-
6 tion 145 of the Nuclear Waste Policy Act of 1982 (42
7 U.S.C. 10165) is amended by striking subsection (b).

8 (b) REPEAL OF LICENSING CONDITIONS.—Section
9 148 of the Nuclear Waste Policy Act of 1982 (42 U.S.C.
10 10168) is amended by striking subsection (d).

○